



JOINT BUDGET & FINANCE AND SPECIAL CALLED COMMITTEE OF THE WHOLE MEETING
MONDAY, AUGUST 8, 2022 | 3:30 P.M.
COUNCIL CHAMBERS

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MINUTES

COUNCIL PRESIDENT PRO TEM CRYSTAL N. SMITHERMAN, COMMITTEE CHAIR
COUNCIL PRESIDENT WARDINE T. ALEXANDER & COUNCILOR VALERIE A. ABBOTT, COMMITTEE MEMBERS

Councilor(s) Present: Smitherman, Abbott, Alexander

- 1) **Call to Order**
The Meeting was called to order by the Committee Chair, Council President Pro Tem Smitherman.
- 2) **Approval of the Minutes**
Action Taken:
Councilor Abbott Motioned to Approve.
Councilor Alexander Seconded the Motion.
The June 25, 2022 Joint Budget and Finance and Special Called Committee of the Whole Meeting Minutes were Approved as Recorded.
- 3) **Consideration of the Consent Agenda**
Items #5,7,8,9,15,17,18
Action Taken:
Councilor Alexander Motioned to Approve.
Councilor Abbott Seconded the Motion.
Items Recommended to the City Council Consent Agenda.
- 4) A Resolution authorizing the Mayor to enter a purchase order and approving a public purpose resolution, under which the City will purchase from the University of Alabama at Birmingham (UAB), 1000 football tickets per UAB home game during the 2022 college football season, at a cost of \$125,000, to be used by employees, youth groups, and neighborhood associations. The City shall distribute these tickets in accordance with applicable laws, including but not limited to the Alabama Ethics Law, Code of Alabama (1975) § 36-25-1. et seq., and the purchase of such tickets is in the best interest of the City and will serve a public purpose and further enhance the public benefit and welfare by, among other things: promoting local economic development; stimulating and diversifying the local economy; promoting and increasing the City's tourist economy, and the generation of additional revenue and jobs.
Submitted by: Chaz Mitchell
Department: Mayor's Office Extension: 2771
Recommended Funding Source: N/A
Amount: \$125,000.00
Action Taken:
Per Mr. McDaniels, there was not an agreement attached. In the absence of the agreement, Jeffery McDaniels requested the Administration to consider the following:
The number of the tickets change from 1,000 "up to" 1,200 the cost change from \$125,000.00 to "up to" \$150,000.00, which is an additional \$25,000.00.

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Funding source for the additional \$25,000.00: 001_010_04200_52714

Action Taken:

Councilor Alexander Motioned to Approve with said Changes per Mr. McDaniels.

Councilor Smitherman Seconded the Motion.

Councilor Abbott Abstained.

Item Recommended to the City Council Agenda.

- 5) A Resolution pursuant to §11-40-1, §11-47-130, §22-3-11 and §382-9, Codes of Alabama 1975 authorizing the Mayor to execute and deliver an agreement with R.E.S.P.E.C.T Organization in an amount not to exceed \$1,000.00, The Provider will provide food, supplies, and personal hygiene items to the poor and needy citizens of Birmingham. Said funds to be paid from District 6 Discretionary Funds in the amount of \$1,000.00.

Submitted by: Yolanda

Lawson Department: Mayor's

Office Extension: 2369

Recommended Funding Source: District 6 Discretionary Funds

Amount: \$1,000.00 (not to exceed)

Action Taken:

Councilor Alexander Motioned to Approve.

Councilor Abbott Seconded the Motion.

Item Recommended to the City Council Consent Agenda.

- 6) A Resolution pursuant to §11-40-1 et. seq., §11-47-16 and §11-47-19 Codes of Alabama, 1975, authorizing the Mayor to execute and deliver an agreement with Sidewalk Film Center and Cinema, Inc., in an amount not to exceed \$5,000.00, to engage children and adults in live and virtual film and theatre productions throughout the City of Birmingham. Said funds to be paid from District 2 Discretionary Funds (\$2,500.00) and District 5 Discretionary Funds (\$2,500.00).

Submitted by: Yolanda Lawson

Department: Mayor's Office

Extension: 2369

Recommended Funding Source: District 2 Discretionary Funds (\$2,500.00) & District 5 Discretionary Funds (\$2,500.00)

Amount: \$5,000.00 (not to exceed)

Action Taken:

Councilor Alexander Motioned to Approve with Amended Funding Amounts.

Councilor Abbott Seconded the Motion.

Item Recommended to the City Council Agenda.

Correction per Mr. McDaniels: The amount should be \$5,000.00 per district for a total amount of \$10,000.00

- 7) A Resolution pursuant to §11-40-1, and §11-47-19, Codes of Alabama, 1975 authorizing the Mayor to execute and deliver an agreement with the State of Alabama Ballet, Inc. (hereinafter referred to as "The Alabama Ballet") in an amount not to exceed \$25,000.00 to provide the following services within the City of Birmingham: offer world class, stunning and innovative performances to the residents of the community; serve the community through outreach and music education programs that strive to expand the opportunity for youth to participate in the programs; provide outreach dance training to students age four (4) thru adult through the Alabama Ballet School; provide free school matinees to students of local area schools; provide 2ND Tuesday programs which will allow access to view behind the scene glimpses of ballet productions; maintain and cultivate relationships with other art groups including the Alabama School of Fine Arts, Birmingham Museum of Art, Alabama Dance Council, Alabama State Council on the Arts and the Alabama Symphony Orchestra. The Alabama Ballet shall invoice the city for services performed and the City agrees to pay said services in two equal installments or as directed by the Mayor or the Director of Finance. Said funds to come from **001_400_96700_96703.550-008**

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Submitted by: Yolanda Lawson
Department: Mayor's Office
Extension: 2369
Recommended Funding Source: 001_400_96700_96703.550-008
Amount: \$25,000.00 (not to exceed)
Action Taken:
Councilor Alexander Motioned to Approve.
Councilor Abbott Seconded the Motion.
Item Recommended to the City Council Consent Agenda.

- 8) A Resolution pursuant to §11-40-1, and 11-47-19 Codes of Alabama 1975, authorizing the Mayor to enter to an Agreement with ASO to provide the following services within the City of Birmingham: i. coordinate and administer the Coffee Concert Series, in person at the UAB Alys Stephens Center, to provide up-close access to musicians, provide new music and education opportunities to supplement existing music programs and create long-term partnerships with young people, free of charge to **ALL** age audiences. ii. coordinate and administer free, in-person concerts to Birmingham, AL students to provide access to musicians, provide new music education opportunities to supplement existing music programs and create long-term partnerships with young people. iii. provide free tickets to an education concert series entitled "Symphony in the Summer", a special concert series at Birmingham's Railroad Park. This series will be focused on introducing younger attendees to the orchestra while reinforcing basic learning skills through dynamic performances all while taking listeners to pre-historic times. Attendees will be introduced to instruments, instrument families and musical concepts through engaging visuals, narration, music and dinosaurs. Said funds shall be in the amount of \$25,000.00 and shall come from **001_400_96700_96703.550-008.**

Submitted by: Yolanda Lawson
Department: Mayor's Office
Extension: 2369
Recommended Funding Source: 001_400_96700_96703.550-008
Amount: \$25,000.00 (not to exceed)
Action Taken:
Councilor Alexander Motioned to Approve.
Councilor Abbott Seconded the Motion.
Item Recommended to the City Council Consent Agenda.

- 9) A Resolution authorizing the Mayor to execute an Agreement with **McWane Science Center d/b/a McWane Center**, under which McWane will provide services in the City to promote public understanding of science, technology and the environment by making learning an adventure by providing hands-on exhibits and programs for students, teachers and the general public for a term to commence July 1, 2022 and end June 30, 2023 and the City agrees to pay an amount not to exceed \$159,104 for the services.

Submitted by: Michelle Inman
Department: Mayor's Office
Extension: 2144
Recommended Funding Source: 001_400_96500_96510.550-005
Amount: \$159,104.00
Action Taken:
Councilor Alexander Motioned to Approve.
Councilor Abbott Seconded the Motion.
Item Recommended to the City Council Consent Agenda.

- 10) A Resolution authorizing the Mayor to execute a Foreign-Trade Zone Operator Agreement between the City of Birmingham and **BLG Logistics, Inc.**, under which the City will grant BLG Logistics the right to utilize a subzone site known as Subzone 98, which is located at 6801 Fifth Street, Northport, Alabama, as a foreign-trade zone

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subzone for a term of five (5) years, to automatically renew for successive five (5) year terms and BLG Logistics will pay annual operating fees to the City or its Administrator for routine foreign-trade zone operations.

Submitted by: Irenio Johnson

Department: Innovation & Economic Opportunity

Extension: 8668

Recommended Funding Source: N/A

Amount:

Action Taken:

Councilor Alexander Motioned to Approve.

Councilor Abbott Seconded the Motion.

Item Recommended to the City Council Agenda.

- 11) Cenergistic LLC to provide behavioral energy savings program for the City of Birmingham. This contract is for five (5) years, beginning on the start date and ending on the last day of the fifth year. The Monthly fee is \$57,166.67 for one (1) year. The project total for in one (1) year is \$686,000.04

Submitted by: Stephanie Amerson

Department: Capital Projects

Extension: 2247

Recommended Funding Source: 001_060_00500.527-014

Amount: \$686,000.04

Action Taken:

Councilor Alexander Motioned to Approve.

Councilor Smitherman Seconded the Motion.

Item Recommended to the City Council Agenda.

Denise Bell

Correction: The monthly fee is \$50,166.67.

- 12) A Resolution authorizing the Mayor to execute a Funding Agreement with the **Birmingham Jefferson County Port Authority ("BJCPA")**, under which the BJCPA will provide for the operation of an inland port facility on the Black Warrior River for recreational, transportational, agricultural, industrial, and commercial purposes and other professional services as needed to carry out its duties and responsibilities and other services that are required to fulfill the intent of the Port Authority Act as defined in Chapter 94 of Title 11 of the Code of Alabama (1975) and the purposes of the Funding Agreement and the City will pay the BJCPA an amount not to exceed \$125,000 for such services, provided that such funding has been approved and included.

Submitted by: Michelle Inman

Department: Mayor's Office

Extension: 2144

Recommended Funding Source: 001_400_96700_96823.550-008

Amount: \$ 125,000.00

Action Taken:

Councilor Alexander Motioned to Approve.

Councilor Abbott Seconded the Motion.

Item Recommended to the City Council Agenda.

- 13) A Resolution authorizing the Mayor to execute a Professional Services Agreement with Slade Land Use, Environmental, and Transportation Planning, LLC (Slade), under which Slade shall conduct interior and exterior lead-based paint inspections, testing, risk assessments, soil sampling, dust wipe sampling, and clearance inspections to not more than 250 properties as identified by the Community Development Department. Said services shall be in accordance with the grant awarded to the City from the U. S. Department of Housing and Urban Development (HUD) in the amount of \$4,100,000. The total compensation the City shall pay Slade shall not exceed \$1,826,475.00, for the duration of the term and any renewal term.

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Submitted by: Cory Stallworth
Department: Community Development
Extension: 2177 LareishaHigginbottom
Recommended Funding Source: Grant# ALLHB0660-18
Amount: \$1,826,475.00

Action Taken:

Councilor Alexander Motioned to Approve.

Councilor Abbott Seconded the Motion.

Item Recommended to the City Council Agenda.

Meghan Venable-Thomas

Correction: Slade amount "not to exceed" \$900,000.00

- 14) A Resolution authorizing the Mayor to execute a Professional Services Agreement with Building & Property Sciences, LLC (BPS), under which BPS shall conduct interior and exterior lead-based paint inspections, testing, risk assessments, soil sampling, dust wipe sampling, and clearance inspections to not more than 250 properties as identified by the Community Development Department. Said services shall be in accordance with the grant awarded to the City from the U. S. Department of Housing and Urban Development (HUD) in the amount of \$4,100,000. The City will pay BPS an amount not to exceed \$2,826,475.00, for a term of 18 months with a renewal term of one year. BPS shall charge price per unit as shown on Exhibit B.

Submitted by: Cory Stallworth

Department: Community Development

Extension: 2177 Lareisha Higginbottom

Recommended Funding Source: Grant# ALLHB0660-18

Amount: \$2,826,475.00

Action Taken:

Councilor Alexander Motioned to Approve.

Councilor Abbott Seconded the Motion.

Item Recommended to the City Council Agenda.

Meghan Venable-Thomas

Correction: BPS amount "not to exceed" \$2,226,475.00

- 15) A Resolution by the Council of the City of Birmingham authorizing the Mayor to execute a Memorandum of Agreement with the Alabama Law Enforcement Agency (ALEA) for the Gulf Coast High Intensity Drug Trafficking Area (HIDTA), under which the City agrees to accept grant funds in the amount of \$66,516.00 for the Birmingham Police Department Highway Interdiction and the grant funds shall be used to cover overtime and other task force services of assigned officers in this drug enforcement initiative. No matching funds are due from the City.

Submitted by: Adrienne Stitt & Terrie Burrell

Department: Grants

Extension: 2482

Recommended Funding Source: No City Match

Amount: \$66,516.00

Action Taken:

Councilor Alexander Motioned to Approve.

Councilor Abbott Seconded the Motion.

Item Recommended to the City Council Consent Agenda.

- 16) A Resolution authorizing the Mayor to execute and deliver an agreement with RJ Building, Inc. to lease a space totaling approximately 54,136 square feet of that certain property known as Mazer Discount Home Center (the "Property"), which is comprised of a total of approximately 430,888 square feet. The Property is located at 2–South 41st Street, in the City of Birmingham, Alabama, and owned by the Lessor. The initial term of this Lease shall be one (1) year commencing on July 1, 2022 (the "Commencement Date"), and ending on the one year anniversary of such date (the "Initial Term"). Lessee shall have the right and option to extend the Lease for

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up to four (4) consecutive terms of one (1) year each (each such extended term being hereinafter individually called an "Extension Term"), with the first Extension Term to begin upon the expiration of the Initial Term and each subsequent Extension Term to begin upon the expiration of the immediately preceding Extension Term. The City shall agree to pay rent for the Premises in equal monthly installments of Ten Thousand Eight Hundred and No/100 Dollars (\$10,800.00) on or before the 10th day of each month during the term of this Lease. The City will use and occupy the Premises for the sole purpose of conducting business operations related to City of Birmingham Fire Department activities (the "Project"). Said lease funds will be paid from **001_022_17000_17401.531-009.**

Submitted by: Yolanda Lawson

Department: Mayor's Office

Extension: 2369

Recommended Funding Source: 001_002_17000.531-009

Amount: \$10,800.00 monthly (129,600.00 annually)

Action Taken:

Councilor Alexander Motioned to Approve.

Councilor Abbott Seconded the Motion.

Item Recommended to the City Council Agenda.

- 17) A request seeking a budget ordinance to transfer funds in the amount totaling \$2003.55 (two thousand three dollars 55/100) from the following District # 2 G/L account: account # 001_010_04220_04221.534-075 (G/ATravel Expenses) to G/L Account # 031_205_04400.690-001 for East Lake Park improvements.

Submitted by: Jeffery McDaniels

Department: City Council (10)

Extension: 2035

Recommended Funding Source: 001_010_04220_04221.534-075

Amount: \$2,003.55

Action Taken:

Councilor Alexander Motioned to Approve.

Councilor Abbott Seconded the Motion.

Item Recommended to the City Council Consent Agenda.

- 18) **BE IT RESOLVED** by the Council of the City of Birmingham, Alabama that the Mayor be and hereby is authorized on behalf of the City of Birmingham to accept and expend a grant from the Jefferson County Fund - Rodger Smitherman in the amount of \$10,000.00, said funds shall be used to assist the City in preserving and supporting renovations at the Arlington Antebellum Home and Gardens, no matching funds are due from the City, and authorize the Mayor to take any and actions and execute such other documents as are appropriate and necessary to accept and expend the grant funds on behalf of the City of Birmingham.

Submitted by: Toby Richards

Department: Arlington House

Extension: X2599 Recommended

Funding Source: N/A

Amount: \$10,000.00

Action Taken:

Councilor Alexander Motioned to Approve.

Councilor Abbott Seconded the Motion.

Item Recommended to the City Council Consent Agenda.

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- 19) **Old & New Business**
Addendum Item:
A request seeking a budget ordinance to transfer \$2,500.00 from District 6 account to the South Titusville Neighborhood Association Account for the Annual Titusville Day activities at Memorial Park on August 20, 2022.
Action Taken:
Councilor Abbott Motioned to Approve.
Councilor Alexander Seconded the Motion.
Item Recommended to the City Council Agenda.
- 20) **Adjournment**
Councilor Abbott Motioned to Adjourn.
Councilor Alexander Seconded the Motion.
The Meeting was Adjourned.